



STATE OF WISCONSIN Senate Journal

December 2018 Extraordinary Session

2:05 P.M.

TUESDAY, December 4, 2018

The Senate met.

The Senate was called to order by Senate President Roth.

OATH OF OFFICE

Upon the calling of the newly elected Senator on Tuesday, December 4, 2018, Caleb Frostman appeared before the Senate, took and subscribed a ceremonial oath of office which was administered by Senate President Roger Roth.

Please see the June 28, 2018 Journal for Senator Frostman's official oath of office.

Senator Shilling Introduced Senator Frostman

"I am excited and pleased to have this opportunity today to formally introduce our new member today. Senator Caleb Frostman is serving in the State Senate representing the 1st Senate District. Senator Frostman serves Door and Kewaunee Counties as well as parts of Manitowoc, Brown, Calumet and Outagamie counties.

Since being elected in the June 2018 Special Election, Senator Frostman has been hard at work championing economic development, environmental conservation and preserving our great outdoor sporting heritage. Since he was elected in June, if Senator Frostman wasn't attending community events or working on behalf of his constituents, he could be found fishing or hunting.

Senator Frostman was raised in Green Bay and currently lives in Sturgeon Bay. He is the former Executive Director of the Door County Economic Development Corporation, which under his leadership was a model economic development organization for the rest of the state.

Every resident deserves to be represented, and Senator Frostman has served with integrity and professionalism. Despite claims that we didn't need this special election because legislation wouldn't be coming in... here we are here today.

The people of the 1st Senate District deserved representation. I couldn't be more proud to have Senator Frostman with us today."

CALL OF ROLL

The roll was called, disclosing the presence of a quorum.

Pursuant to Senate Rule 15, the official attendance for session was:

Senators Bewley, Carpenter, Cowles, Craig, Darling, Erpenbach, Feyen, Fitzgerald, Frostman, Hansen, Johnson, Kapenga, Larson, LeMahieu, Marklein, Miller, Moulton, Nass, Olsen, Petrowski, Ringhand, Risser, Roth, Schachtner, Shilling, Stroebe, L. Taylor, Testin, Tiffany, Vinehout, Vukmir, Wanggaard and Wirsch - 33.

Absent with leave - None - 0.

The Senate stood for the prayer which was offered by Senator Moulton.

The Senate remained standing and Senator Frostman led the Senate in the pledge of allegiance to the flag of the United States of America.

Pursuant to Senate Rule 17 (6), the Chief Clerk made the following entries under the above date.

CHIEF CLERK'S ENTRIES

AMENDMENTS OFFERED

Senate Amendment 1 to **Senate Bill 883** offered by the joint committee on **Finance**.

Senate Amendment 1 to Senate Amendment 1 to **Senate Bill 883** offered by Senator Stroebe.

Senate Amendment 1 to **Senate Bill 884** offered by the joint committee on **Finance**.

Senate Substitute Amendment 1 to **Senate Bill 884** offered by Senator Fitzgerald.

Senate Amendment 1 to **Senate Bill 886** offered by the joint committee on **Finance**.

Senate Amendment 2 to **Senate Bill 886** offered by Senator Fitzgerald.

Senate Amendment 1 to Senate Substitute Amendment 2 to **Assembly Bill 365** offered by Senators Feyen and Fitzgerald.

Senate Amendment 2 to Senate Substitute Amendment 2 to **Assembly Bill 365** offered by Senators Erpenbach, Shilling, Schachtner, Wirsch, Miller, L. Taylor, Johnson, Vinehout, Carpenter, Larson, Frostman, Ringhand, Risser, Hansen and Bewley.

Senate Substitute Amendment 2 to **Assembly Bill 365** offered by Senators Feyen and Fitzgerald.

Senate Substitute Amendment 3 to **Assembly Bill 365** offered by Senators Craig and Kapenga.

INTRODUCTION, FIRST READING, AND REFERENCE OF PROPOSALS

Read and referred:

Senate Joint Resolution 118

Relating to: honoring the life and public service of President George H.W. Bush.

By Senators Roth, Darling, Cowles, Petrowski, Feyen, Wanggaard, Marklein, Kapenga, Tiffany, Moulton, Vukmir, Stroebel and LeMahieu; cosponsored by Representatives Steineke, Allen, Ballweg, Bernier, Born, R. Brooks, Duchow, Felzkowski, Hutton, Jacque, Jagler, Katsma, Knodl, Kremer, Krug, Kulp, Loudenberg, Murphy, Mursau, Novak, Ott, Pronschinske, Rodriguez, Rohrkaste, Skowronski, Snyder, Spiros, Summerfield, Swearingen, Thiesfeldt, Tittl, Tranel, Vos, Wichgers, VanderMeer and Tusler.

To the committee on **Senate Organization**.

REPORT OF COMMITTEES

The joint committee on **Finance** reported and recommended:

Senate Bill 883

Relating to: state and local highway projects; expenditure of transportation moneys received from the federal government; determining a reduction in individual income tax rates; and election of pass-through entities to be taxed at the entity level.

Senate Amendment 1 adoption.

Ayes: 12 - Senator Darling and Representative Nygren; Senators Olsen, Marklein, Vukmir, Tiffany and Stroebel; Representatives Kooyenga, Loudenberg, Felzkowski, Born and Rohrkaste.

Noes: 4 - Senators Erpenbach and Johnson; Representatives C. Taylor and Shankland.

Passage as amended.

Ayes: 12 - Senator Darling and Representative Nygren; Senators Olsen, Marklein, Vukmir, Tiffany and Stroebel; Representatives Kooyenga, Loudenberg, Felzkowski, Born and Rohrkaste.

Noes: 4 - Senators Erpenbach and Johnson; Representatives C. Taylor and Shankland.

Senate Bill 884

Relating to: legislative powers and duties, state agency and authority composition and operations, and administrative rule-making process.

Senate Amendment 1 adoption.

Ayes: 12 - Senator Darling and Representative Nygren; Senators Olsen, Marklein, Vukmir, Tiffany and Stroebel;

Representatives Kooyenga, Loudenberg, Felzkowski, Born and Rohrkaste.

Noes: 4 - Senators Erpenbach and Johnson; Representatives C. Taylor and Shankland.

Passage as amended.

Ayes: 12 - Senator Darling and Representative Nygren; Senators Olsen, Marklein, Vukmir, Tiffany, and Stroebel; Representatives Kooyenga, Loudenberg, Felzkowski, Born, and Rohrkaste.

Noes: 4 - Senators Erpenbach, and Johnson; Representatives C. Taylor, and Shankland.

Senate Bill 886

Relating to: federal government waivers and other requests for federal approval; public assistance programs; waivers from work search and registration requirements for certain unemployment insurance benefit claimants; granting rule-making authority; and making an appropriation.

Senate Amendment 1 adoption.

Ayes: 12 - Senator Darling and Representative Nygren; Senators Olsen, Marklein, Vukmir, Tiffany and Stroebel; Representatives Kooyenga, Loudenberg, Felzkowski, Born and Rohrkaste.

Noes: 4 - Senators Erpenbach and Johnson; Representatives C. Taylor and Shankland.

Passage as amended.

Ayes: 12 - Senator Darling and Representative Nygren; Senators Olsen, Marklein, Vukmir, Tiffany and Stroebel; Representatives Kooyenga, Loudenberg, Felzkowski, Born and Rohrkaste.

Noes: 4 - Senators Erpenbach and Johnson; Representatives C. Taylor and Shankland.

ALBERTA DARLING

Senate Chairperson

PETITIONS AND COMMUNICATIONS

Pursuant to Senate Rule 17 (5), Representatives Kitchens and Vorpapel added as cosponsors of **Senate Joint Resolution 118**.

Pursuant to Senate Rule 17 (5), Senators Bewley, Carpenter, Erpenbach, Hansen, Johnson, Larson, Miller, Ringhand, Risser, Shilling, L. Taylor, Vinehout and Wirsch withdrawn as cosponsors of **Assembly Bill 365**.

ADVICE AND CONSENT OF THE SENATE

Senator Fitzgerald asked unanimous consent that all appointments be taken up en masse.

Senator Carpenter objected.

POINT OF ORDER

Senator Carpenter raised the point of order that the appointments were not properly before the Senate.

The Chair ruled the point of order not well taken.

Senator Roth, with unanimous consent, asked that the Senate stand informal.

Senator Roth, with unanimous consent, asked that the Senate recess.

2:36 P.M.

RECESS

3:14 P.M.

The Senate reconvened.

Senate President Roth in the chair.

The Chair noted the possible lack of a quorum.

The roll was taken and a quorum was present.

ANDERSON, RENEE E.

Of Milwaukee, as a Public Member on the Wisconsin Health and Educational Facilities Authority, to serve for the term ending July 1, 2024.

Read.

Senator Carpenter, with unanimous consent, asked that Senator Vinehout's remarks be entered into the journal.

"We heard from the Senator from the 27th that we thought this was a violation of process, but I've just now learned from the Wisconsin Legislative Reference Bureau that it's not only a violation of process, it's a violation of state law. The particular statute is 19.42 (10)(d), which says that the Board of Regents members are required to file a statement of economic interest. I think it's important Mr. President that we understand not only does it appear to be that we're looking at violating process, we're also violating law."

IN THE CHAIR

President Pro Tempore Marklein in the chair.

3:37 P.M.

IN THE CHAIR

Senate President Roth in the chair.

3:38 P.M.

Senator Carpenter withdrew his objection to take the appointments up en masse.

Senator Erpenbach moved that the appointments of Scott Beightol and Torrey Tiedeman be referred to the committee on **Senate Organization**.

The question was: Referral of the appointments of Scott Beightol and Torrey Tiedeman to the committee on **Senate Organization**?

The ayes and noes were demanded and the vote was: ayes, 15; noes, 18; absent or not voting, 0; as follows:

Ayes - Senators Bewley, Carpenter, Erpenbach, Frostman, Hansen, Johnson, Larson, Miller, Ringhand, Risser, Schachtner, Shilling, L. Taylor, Vinehout and Wirsch - 15.

Noes - Senators Cowles, Craig, Darling, Feyen, Fitzgerald, Kapenga, LeMahieu, Marklein, Moulton, Nass, Olsen, Petrowski, Roth, Stroebel, Testin, Tiffany, Vukmir and Wanggaard - 18.

Absent or not voting - None - 0.

Referral refused.

ANDERSON, RENEE E. of Milwaukee, as a Public Member on the Wisconsin Health and Educational Facilities Authority, to serve for the term ending July 1, 2024.

ARMSTRONG, SHIRLEY A. of Stone Lake, as a Domestic Abuse Knowledge Representative on the Council on Domestic Abuse, to serve for the term ending July 1, 2019.

BAHR, LISA of Oconomowoc, as a Dental Hygienist Representative on the Dentistry Examining Board, to serve for the term ending July 1, 2022.

BEIGHTOL, SCOTT C. of Wales, as a Congressional District 1 Representative on the Board of Regents of the University of Wisconsin System, to serve for the term ending May 1, 2023.

BERRY, DR. SHARI of Tomah, as a Physical Therapist on the Physical Therapy Examining Board, to serve for the term ending July 1, 2020.

BISTAN, DR. MATTHEW R. of Sheboygan, as a Dentist on the Dentistry Examining Board, to serve for the term ending July 1, 2021.

BORST, DONALD of Little Suamico, as a Licensed Radiographer on the Radiography Examining Board, to serve for the term ending July 1, 2021.

BROECKERT, ROBERT R. of Appleton, as an Audiologist on the Hearing and Speech Examining Board, to serve for the term ending July 1, 2020.

BRYCE, DR. DAVID ANTHONY of Middleton, as a Doctor-Medicine on the Medical Examining Board, to serve for the term ending July 1, 2021.

CHWALA, THOMAS of Lake Mills, as a Southern Area Representative on the Snowmobile Recreational Council, to serve for the term ending July 1, 2021.

CRANE, SUSAN M. of Burlington, as a General Business Representative on the State Fair Park Board, to serve for the term ending May 1, 2023.

DESMONDE, DR. MARCUS P. of Colfax, as a Psychologist on the Psychology Examining Board, to serve for the term ending July 1, 2021.

DOLATOWSKI, ROSEMARY P. of Burlington, as a Registered Nurse on the Board of Nursing, to serve for the term ending July 1, 2022.

EERNISSE, MARC A of Port Washington, as a Funeral Director/Embalmer on the Funeral Directors Examining Board, to serve for the term ending July 1, 2022.

ENKE, H. BRUCE of Green Bay, as a Brown County Representative on the Fox River Navigational System Authority, to serve for the term ending July 1, 2020.

FELDT, JEFFERY of Kaukauna, as an Outagamie County Representative on the Fox River Navigational System Authority, to serve for the term ending July 1, 2020.

GIESKING, JEFFERY of Menomonie, as a Professional Member on the Podiatrists Affiliated Credentialing Board, to serve for the term ending July 1, 2020.

GORSUCH, ROBERT C. of Fitchburg, as a Professional Member on the Banking Review Board, to serve for the term ending May 1, 2023.

GRATHEN, PATRICIA of La Crosse, as a Professional Member on the Cemetery Board, to serve for the term ending July 1, 2022.

GREBE, KELLY H. of Mequon, as General Business Representative of the State Fair Park Board, to serve for the term ending May 1, 2020.

GRECO, LISA M of Brookfield, as a Credit Union Experience on the Credit Union Review Board, to serve for the term ending May 1, 2023.

HAMBERGER, DR. KEVIN L. of Franklin, as a Domestic Abuse Knowledge on the Council on Domestic Abuse, to serve for the term ending July 1, 2020.

HANSEN, BRYCE L. of Prairie Farm, as a Professional Member on the Auctioneer Board, to serve for the term ending May 1, 2020.

HAWKINS, CHARLES of Marinette, as a Nursing Home Administrator on the Nursing Home Administrator Examining Board, to serve for the term ending July 1, 2021.

HUTCHISON, DAVID of Luxemburg, as a Public Representative on the Educational Communications Board, to serve for the term ending May 1, 2021.

JOHNSEN, JACK J. of Oshkosh, as an Athletic Trainer on the Athletic Trainers Affiliated Credentialing Board, to serve for the term ending July 1, 2021.

JOHNSON, BARBARA of De Pere, as an Audiologist on the Hearing and Speech Examining Board, to serve for the term ending July 1, 2021.

JONES, STANLEY D. of Clyman, as a Professional Member on the Auctioneer Board, to serve for the term ending May 1, 2022.

KALPIC, NELA of Madison, as a Domestic Abuse Knowledge on the Council on Domestic Abuse, to serve for the term ending July 1, 2020.

KASKE, DR. HERBERT MICHAEL of Twin Lakes, as a Dentist Representative on the Dentistry Examining Board, to serve for the term ending July 1, 2022.

KLAPPERICH, STEVEN of St. Cloud, as a Hearing Instrument Specialist on the Hearing and Speech Examining Board, to serve for the term ending July 1, 2019.

KNEESEL, THOMAS of Pleasant Prairie, as a Certified Appraiser on the Real Estate Appraisers Board, to serve for the term ending May 1, 2022.

KOGER, KRISTIN of Rice Lake, as a Professional Independent Social Worker on the Marriage and Family Therapy Professional Counseling and Social Work Examining Board, to serve for the term ending July 1, 2022.

KRIER, THOMAS J. of Allentown, as a Hearing Instrument Specialist on the Hearing and Speech Examining Board, to serve for the term ending July 1, 2021.

KRUEGER, ELIZABETH A. of Waukesha, as a Government Representative on the Marriage and Family Therapy Professional Counseling and Social Work Examining Board, to serve for the term ending July 1, 2020.

LADIEN, FRANKLIN J. of Menomonee Falls, as a Pharmacist on the Pharmacy Examining Board, to serve for the term ending July 1, 2020.

LAROWE, DR. TARA of Madison, as a Dietitian on the Dietitians Affiliated Credentialing Board, to serve for the term ending July 1, 2022.

LAU, DR. LEE ANN R. of West Bend, as a Doctor-Medicine on the Medical Examining Board, to serve for the term ending July 1, 2020.

MANKOWSKI, JOEL of Greenfield, as a member of the Sign Language Interpreters Council, to serve for the term ending July 1, 2014.

MARINO, RICHARD J. of Plain, as a Real Estate Sales/Broker on the Real Estate Examining Board, to serve for the term ending July 1, 2022.

MARSHALL, TRACY of Muskego, as a Radiological Physicist on the Radiography Examining Board, to serve for the term ending July 1, 2020.

MAXWELL, GEORGIA E. of Madison, as Commissioner of the Labor and Industry Review Commission, to serve for the term effective January 6, 2019 and ending March 1, 2023.

MAYO, DALE of Conover, as a Northern Area Representative on the Snowmobile Recreational Council, to serve for the term ending July 1, 2021.

MCNALLY, VICKY of Edgerton, as a Cosmetologist on the Cosmetology Examining Board, to serve for the term ending July 1, 2020.

MICHAELIS, MARLA of Jefferson, as a Funeral Director/Embalmer on the Funeral Directors Examining Board, to serve for the term ending July 1, 2021.

MILLER, KATHLEEN M. of Janesville, as a Professional Counselor on the Marriage and Family Therapy Professional Counseling and Social Work Examining Board, to serve for the term ending July 1, 2021.

MYERS, DENNIS of Germantown, as a Public Member-Surveyor Section on the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors, to serve for the term ending July 1, 2021.

NOWAK, ELLEN of Fitchburg, as Commissioner of the Public Service Commission, to serve for the term effective December 28, 2018 ending March 1, 2023.

O'BRIEN, LAURA of Oregon, as an Occupational Therapist on the Occupational Therapists Affiliated Credentialing Board, to serve for the term ending July 1, 2019.

OLSON, SARAH of Readstown, as a Physical Therapist Assistant on the Physical Therapy Examining Board, to serve for the term ending July 1, 2021.

PERRY, SUSAN M. of Woodruff, as a Domestic Abuse Knowledge Representative on the Council on Domestic Abuse, to serve for the term ending July 1, 2019.

PIETZ, DR. WENDY M. of Milwaukee, as a Dentist on the Dentistry Examining Board, to serve for the term ending July 1, 2021.

RANK, KIM S. of Shiocton, as a Cosmetologist and Aesthetician on the Cosmetology Examining Board, to serve for the term ending July 1, 2020.

REINEMANN, JOHN of Madison, as a Public Member on the Cemetery Board, to serve for the term ending July 1, 2020.

REINEMANN, JOHN of Madison, as a Public Member on the Accounting Examining Board, to serve for the term ending July 1, 2021.

RICHIE, THOMAS J. of Rice Lake, as a Real Estate Sales/Broker on the Real Estate Examining Board, to serve for the term ending July 1, 2022.

SCHEIDEGGER, TAMMY H. of Oconomowoc, as a Professional Counselor on the Marriage and Family Therapy, Professional Counseling and Social Work Examining Board, to serve for the term ending July 1, 2020.

SCHLICHTING, DR. DAVID K. of Greenfield, as an Accountant on the Accounting Examining Board, to serve for the term ending July 1, 2022.

SCHROEDL, BERNARD of Greendale, as a Professional Member on the Cemetery Board, to serve for the term ending July 1, 2022.

SCHULZ, DR. ROBERT C. of Appleton, as an Optometrist on the Optometry Examining Board, to serve for the term ending July 1, 2020.

SCHULZ, RENEE J. of Marshfield, as a Domestic Abuse Knowledge on the Council on Domestic Abuse, to serve for the term ending July 1, 2020.

SEIDENSTRICKER, PAUL of Wauwatosa, as a Public Member on the UW Hospitals and Clinics Authority and Board, to serve for the term ending July 1, 2020.

SHEILD, DR. PETER of Oconomowoc, as a Dentist Representative on the Dentistry Examining Board, to serve for the term ending July 1, 2022.

SHORT, TIM of Neenah, as a Winnebago County Representative on the Fox River Navigational System Authority, to serve for the term ending July 1, 2021.

SIPPEL, SUSAN of Plover, as a Domestic Abuse Knowledge on the Council on Domestic Abuse, to serve for the term ending July 1, 2020.

STANICK, PAMELA of Brookfield, as a Public Member on the Wisconsin Health and Educational Facilities Authority, to serve for the term ending June 30, 2022.

STERLING, DR. JOHN L. of Coon Valley, as an Optometrist on the Optometry Examining Board, to serve for the term ending July 1, 2021.

SURPRISE, JAMES of Wautoma, as a Public Member on the Board on Aging and Long Term Care, to serve for the term ending May 1, 2023.

TAYLOR PH.D., DR. DALE B. of Eau Claire, as a Public Member on the Board on Aging and Long Term Care, to serve for the term ending May 1, 2020.

TAYLOR, ALENA A. of New Richmond, as a Domestic Abuse Knowledge on the Council on Domestic Abuse, to serve for the term ending July 1, 2020.

THOMAS, MARK M. of Mequon, as a Domestic Abuse Knowledge Representative on the Council on Domestic Abuse, to serve for the term ending July 1, 2019.

THOMPSON, DR. DAVID of Burlington, as a Psychologist on the Psychology Examining Board, to serve for the term ending July 1, 2022.

TIEDEMAN, TORREY G. of Madison, as a Non-Traditional Student Representative on the Board of Regents of the University of Wisconsin System, to serve for the term ending May 1, 2020.

TRAPSKIN, PHILIP J. of Fitchburg, as a Pharmacist on the Pharmacy Examining Board, to serve for the term ending July 1, 2021.

VERGAMINI, GREGORY of Superior, as an Athletic Trainer on the Athletic Trainers Affiliated Credentialing Board, to serve for the term ending July 1, 2020.

WALSH, ROGER E. of Milwaukee, as an Inland Lakes Representative on the Wisconsin Waterways Commission, to serve for the term ending March 1, 2023.

WEITEKAMP, JOHN of West Allis, as a Pharmacist on the Pharmacy Examining Board, to serve for the term ending July 1, 2022.

WINTERS, CATHY of Wausau, as a Pharmacist on the Pharmacy Examining Board, to serve for the term ending July 1, 2021.

WINTERS, KEENE of Wausau, as a Public Member on the Wisconsin Historical Society Board of Curators, to serve for the term ending July 1, 2020.

ZALEWSKI, DR. KATHRYN R. of Wauwatosa, as a Physical Therapist on the Physical Therapy Examining Board, to serve for the term ending July 1, 2021.

ZEUSKE, CATE of Green Bay, as a Public Member on the Wisconsin Historical Society Board of Curators, to serve for the term ending July 1, 2021.

ZIPPERER, SCOTT T. of Manitowoc, as a WTCS Student Representative on the Wisconsin Technical College System Board, to serve for the term ending May 1, 2019.

The question was: Confirmation en masse?

The ayes and noes were required and the vote was: ayes, 18; noes, 15; absent or not voting, 0; as follows:

Ayes - Senators Cowles, Craig, Darling, Feyen, Fitzgerald, Kapenga, LeMahieu, Marklein, Moulton, Nass, Olsen, Petrowski, Roth, Stroebel, Testin, Tiffany, Vukmir and Wanggaard - 18.

Noes - Senators Bewley, Carpenter, Erpenbach, Frostman, Hansen, Johnson, Larson, Miller, Ringhand, Risser, Schachtner, Shilling, L. Taylor, Vinehout and Wirch - 15.

Absent or not voting – None - 0.

Confirmed.

CONSIDERATION OF MOTIONS, RESOLUTIONS, AND JOINT RESOLUTIONS NOT REQUIRING A THIRD READING

Senator Fitzgerald, with unanimous consent, asked that **Senate Joint Resolution 118** be withdrawn from the committee on **Senate Organization** and taken up at this time.

Senate Joint Resolution 118

Relating to: honoring the life and public service of President George H.W. Bush.

Read.

Adopted by unanimous rising vote.

SECOND READING AND AMENDMENTS OF SENATE JOINT RESOLUTIONS AND SENATE BILLS

Senator Fitzgerald asked unanimous consent that **Senate Bill 883** be withdrawn from the committee on **Senate Organization** and taken up at this time.

Senator Hansen objected.

Senator Fitzgerald moved that **Senate Bill 883** be withdrawn from the committee on **Senate Organization** and taken up at this time.

Senator Roth, with unanimous consent, asked that the Senate stand informal.

The Chair noted the possible lack of a quorum.

The roll was taken and a quorum was present.

The question was: Shall **Senate Bill 883** be withdrawn from the committee on **Senate Organization** and taken up at this time?

The ayes and noes were demanded and the vote was: ayes, 18; noes, 15; absent or not voting, 0; as follows:

Ayes - Senators Cowles, Craig, Darling, Feyen, Fitzgerald, Kapenga, LeMahieu, Marklein, Moulton, Nass, Olsen, Petrowski, Roth, Stroebel, Testin, Tiffany, Vukmir and Wanggaard - 18.

Noes - Senators Bewley, Carpenter, Erpenbach, Frostman, Hansen, Johnson, Larson, Miller, Ringhand, Risser, Schachtner, Shilling, L. Taylor, Vinehout and Wirch - 15.

Absent or not voting – None - 0.

Withdrawn and taken up.

Senate Bill 883

Relating to: state and local highway projects; expenditure of transportation moneys received from the federal government; determining a reduction in individual income tax rates; and election of pass-through entities to be taxed at the entity level.

Read a second time.

The question was: Adoption of Senate Amendment 1 to Senate Amendment 1 to **Senate Bill 883**?

Adopted.

The question was: Adoption of Senate Amendment 1 to **Senate Bill 883**?

Adopted.

Ordered to a third reading.

Senator Fitzgerald, with unanimous consent, asked that the rules be suspended and the bill be given its third reading.

Senate Bill 883

Read a third time.

The question was: Passage of **Senate Bill 883**?

The ayes and noes were required and the vote was: ayes, 18; noes, 15; absent or not voting, 0; as follows:

Ayes - Senators Cowles, Craig, Darling, Feyen, Fitzgerald, Kapenga, LeMahieu, Marklein, Moulton, Nass, Olsen, Petrowski, Roth, Stroebel, Testin, Tiffany, Vukmir and Wanggaard - 18.

Noes - Senators Bewley, Carpenter, Erpenbach, Frostman, Hansen, Johnson, Larson, Miller, Ringhand, Risser, Schachtner, Shilling, L. Taylor, Vinehout and Wirch - 15.

Absent or not voting – None - 0.

Passed.

Senator Fitzgerald, with unanimous consent, asked that all action be immediately messaged to the Assembly:

Senate Joint Resolution 118
Senate Bill 883

Messaged.

Senator Fitzgerald, with unanimous consent, asked that the Senate recess.

5:31 P.M.

RECESS

9:36 P.M.

The Senate reconvened.

Senate President Roth in the chair.

The Chair noted the possible lack of a quorum.

The roll was taken and a quorum was present.

Senator Fitzgerald asked unanimous consent that **Senate Bill 886** be withdrawn from the committee on **Senate Organization** and taken up at this time.

Senator Hansen objected.

Senator Fitzgerald moved that **Senate Bill 886** be withdrawn from the committee on **Senate Organization** and taken up at this time.

The question was: Shall **Senate Bill 886** be withdrawn from the committee on **Senate Organization** and taken up at this time?

The ayes and noes were demanded and the vote was: ayes, 18; noes, 15; absent or not voting, 0; as follows:

Ayes - Senators Cowles, Craig, Darling, Feyen, Fitzgerald, Kapenga, LeMahieu, Marklein, Moulton, Nass, Olsen, Petrowski, Roth, Stroebel, Testin, Tiffany, Vukmir and Wanggaard - 18.

Noes - Senators Bewley, Carpenter, Erpenbach, Frostman, Hansen, Johnson, Larson, Miller, Ringhand, Risser, Schachtner, Shilling, L. Taylor, Vinehout and Wirch - 15.

Absent or not voting – None - 0.

Withdrawn and taken up.

Senate Bill 886

Relating to: federal government waivers and other requests for federal approval; public assistance programs; waivers from work search and registration requirements for certain unemployment insurance benefit claimants; granting rule-making authority; and making an appropriation.

Read a second time.

Senator Roth, with unanimous consent, asked that the Senate stand informal.

Senator Fitzgerald moved that Senate Amendment 1 to **Senate Bill 886** be laid on the table.

The question was: Tabling of Senate Amendment 1 to **Senate Bill 886**?

Tabled.

Senator Roth, with unanimous consent, asked that the Senate recess.

9:55 P.M.

RECESS

10:16 P.M.

The Senate reconvened.

Senate President Roth in the chair.

The Chair noted the possible lack of a quorum.

The roll was taken and a quorum was present.

The question was: Adoption of Senate Amendment 2 to **Senate Bill 886**?

The ayes and noes were demanded and the vote was: ayes, 18; noes, 15; absent or not voting, 0; as follows:

Ayes - Senators Cowles, Craig, Darling, Feyen, Fitzgerald, Kapenga, LeMahieu, Marklein, Moulton, Nass, Olsen, Petrowski, Roth, Stroebel, Testin, Tiffany, Vukmir and Wanggaard - 18.

Noes - Senators Bewley, Carpenter, Erpenbach, Frostman, Hansen, Johnson, Larson, Miller, Ringhand, Risser, Schachtner, Shilling, L. Taylor, Vinehout and Wirch - 15.

Absent or not voting – None - 0.

Adopted.

Ordered to a third reading.

Senator Fitzgerald, with unanimous consent, asked that the rules be suspended and the bill be given its third reading.

Senate Bill 886

Read a third time.

The question was: Passage of **Senate Bill 886**?

The ayes and noes were required and the vote was: ayes, 18; noes, 15; absent or not voting, 0; as follows:

Ayes - Senators Cowles, Craig, Darling, Feyen, Fitzgerald, Kapenga, LeMahieu, Marklein, Moulton, Nass, Olsen, Petrowski, Roth, Stroebel, Testin, Tiffany, Vukmir and Wanggaard - 18.

Noes - Senators Bewley, Carpenter, Erpenbach, Frostman, Hansen, Johnson, Larson, Miller, Ringhand, Risser, Schachtner, Shilling, L. Taylor, Vinehout and Wirch - 15.

Absent or not voting – None - 0.

Passed.

Senator Fitzgerald, with unanimous consent, asked that all action be immediately messaged to the Assembly:

Senate Bill 886

Messaged.

Senator Fitzgerald, with unanimous consent, asked that the Senate recess.

10:48 P.M.

RECESS

4:58 A.M. Wednesday, December 5

The Senate reconvened.

Senate President Roth in the chair.

The Chair noted the possible lack of a quorum.

The roll was taken and a quorum was present.

Senator Fitzgerald asked unanimous consent that **Senate Bill 884** be withdrawn from the committee on **Senate Organization** and taken up at this time.

Senator Hansen objected.

Senator Fitzgerald moved that **Senate Bill 884** be withdrawn from the committee on **Senate Organization** and taken up at this time.

IN THE CHAIR

President Pro Tempore Marklein in the chair.

5:14 A.M. Wednesday, December 5

IN THE CHAIR

Senate President Roth in the chair.

5:20 A.M. Wednesday, December 5

Senator Carpenter moved that the Senate stand adjourned.

The question was: Shall the Senate stand adjourned?

The ayes and noes were demanded and the vote was: ayes, 15; noes, 18; absent or not voting, 0; as follows:

Ayes - Senators Bewley, Carpenter, Erpenbach, Frostman, Hansen, Johnson, Larson, Miller, Ringhand, Risser, Schachtner, Shilling, L. Taylor, Vinehout and Wirch - 15.

Noes - Senators Cowles, Craig, Darling, Feyen, Fitzgerald, Kapenga, LeMahieu, Marklein, Moulton, Nass, Olsen, Petrowski, Roth, Stroebel, Testin, Tiffany, Vukmir and Wanggaard - 18.

Absent or not voting - None - 0.

Refused to adjourn.

The question was: Shall **Senate Bill 884** be withdrawn from the committee on **Senate Organization** and taken up at this time?

The ayes and noes were demanded and the vote was: ayes, 18; noes, 15; absent or not voting, 0; as follows:

Ayes - Senators Cowles, Craig, Darling, Feyen, Fitzgerald, Kapenga, LeMahieu, Marklein, Moulton, Nass, Olsen, Petrowski, Roth, Stroebel, Testin, Tiffany, Vukmir and Wanggaard - 18.

Noes - Senators Bewley, Carpenter, Erpenbach, Frostman, Hansen, Johnson, Larson, Miller, Ringhand, Risser, Schachtner, Shilling, L. Taylor, Vinehout and Wirch - 15.

Absent or not voting - None - 0.

Withdrawn and taken up.

Senate Bill 884

Relating to: legislative powers and duties, state agency and authority composition and operations, and administrative rule-making process.

Read a second time.

The question was: Adoption of Senate Substitute Amendment 1 to **Senate Bill 884**?

The ayes and noes were demanded and the vote was: ayes, 18; noes, 15; absent or not voting, 0; as follows:

Ayes - Senators Cowles, Craig, Darling, Feyen, Fitzgerald, Kapenga, LeMahieu, Marklein, Moulton, Nass, Olsen, Petrowski, Roth, Stroebel, Testin, Tiffany, Vukmir and Wanggaard - 18.

Noes - Senators Bewley, Carpenter, Erpenbach, Frostman, Hansen, Johnson, Larson, Miller, Ringhand, Risser, Schachtner, Shilling, L. Taylor, Vinehout and Wirch - 15.

Absent or not voting - None - 0.

Adopted.

Ordered to a third reading.

Senator Fitzgerald, with unanimous consent, asked that the rules be suspended and the bill be given its third reading.

Senate Bill 884

Read a third time.

The question was: Passage of **Senate Bill 884**?

The ayes and noes were required and the vote was: ayes, 17; noes, 16; absent or not voting, 0; as follows:

Ayes - Senators Craig, Darling, Feyen, Fitzgerald, Kapenga, LeMahieu, Marklein, Moulton, Nass, Olsen, Petrowski, Roth, Stroebel, Testin, Tiffany, Vukmir and Wanggaard - 17.

Noes - Senators Bewley, Carpenter, Cowles, Erpenbach, Frostman, Hansen, Johnson, Larson, Miller, Ringhand, Risser, Schachtner, Shilling, L. Taylor, Vinehout and Wirch - 16.

Absent or not voting – None - 0.

Passed.

Senator Fitzgerald, with unanimous consent, asked that all action be immediately messaged to the Assembly:

Senate Bill 884

Messaged.

**SECOND READING AND AMENDMENTS OF
ASSEMBLY JOINT RESOLUTIONS AND
ASSEMBLY BILLS**

Senator Fitzgerald moved that **Assembly Bill 365** be withdrawn from the committee on **Insurance, Financial Services, Constitution and Federalism** and taken up at this time.

The question was: Shall **Assembly Bill 365** be withdrawn from the committee on **Insurance, Financial Services, Constitution and Federalism** and taken up at this time?

The ayes and noes were demanded and the vote was: ayes, 18; noes, 15; absent or not voting, 0; as follows:

Ayes - Senators Cowles, Craig, Darling, Feyen, Fitzgerald, Kapenga, LeMahieu, Marklein, Moulton, Nass, Olsen, Petrowski, Roth, Stroebel, Testin, Tiffany, Vukmir and Wanggaard - 18.

Noes - Senators Bewley, Carpenter, Erpenbach, Frostman, Hansen, Johnson, Larson, Miller, Ringhand, Risser, Schachtner, Shilling, L. Taylor, Vinehout and Wirch - 15.

Absent or not voting – None - 0.

Withdrawn and taken up.

Assembly Bill 365

Relating to: prohibiting lifetime and annual limits under health insurance policies and plans.

Read a second time.

Senator Erpenbach, with unanimous consent, asked that Senate Substitute Amendment 1 to **Assembly Bill 365** be withdrawn and returned to author.

The question was: Adoption of Senate Amendment 1 to Senate Substitute Amendment 2 to **Assembly Bill 365**?

Adopted.

Senator Vukmir moved that Senate Amendment 2 to Senate Substitute Amendment 2 to **Assembly Bill 365** be laid on the table.

The question was: Tabling of Senate Amendment 2 to Senate Substitute Amendment 2 to **Assembly Bill 365**?

The ayes and noes were demanded and the vote was: ayes, 18; noes, 15; absent or not voting, 0; as follows:

Ayes - Senators Cowles, Craig, Darling, Feyen, Fitzgerald, Kapenga, LeMahieu, Marklein, Moulton, Nass,

Olsen, Petrowski, Roth, Stroebel, Testin, Tiffany, Vukmir and Wanggaard - 18.

Noes - Senators Bewley, Carpenter, Erpenbach, Frostman, Hansen, Johnson, Larson, Miller, Ringhand, Risser, Schachtner, Shilling, L. Taylor, Vinehout and Wirch - 15.

Absent or not voting – None - 0.

Tabled.

The question was: Adoption of Senate Substitute Amendment 2 to **Assembly Bill 365**?

The ayes and noes were demanded and the vote was: ayes, 16; noes, 17; absent or not voting, 0; as follows:

Ayes - Senators Cowles, Darling, Feyen, Fitzgerald, LeMahieu, Marklein, Moulton, Nass, Olsen, Petrowski, Roth, Stroebel, Testin, Tiffany, Vukmir and Wanggaard - 16.

Noes - Senators Bewley, Carpenter, Craig, Erpenbach, Frostman, Hansen, Johnson, Kapenga, Larson, Miller, Ringhand, Risser, Schachtner, Shilling, L. Taylor, Vinehout and Wirch - 17.

Absent or not voting – None - 0.

Refused to adopt.

Senator Fitzgerald moved that Senate Substitute Amendment 3 to **Assembly Bill 365** be laid on the table.

The question was: Tabling of Senate Substitute Amendment 3 to **Assembly Bill 365**?

Tabled.

Ordered to a third reading.

Senator Fitzgerald, with unanimous consent, asked that the rules be suspended and the bill be given its third reading.

Read a third time.

The question was: Concurrence of **Assembly Bill 365**?

The ayes and noes were demanded and the vote was: ayes, 16; noes, 17; absent or not voting, 0; as follows:

Ayes - Senators Cowles, Darling, Feyen, Fitzgerald, LeMahieu, Marklein, Moulton, Nass, Olsen, Petrowski, Roth, Stroebel, Testin, Tiffany, Vukmir and Wanggaard - 16.

Noes - Senators Bewley, Carpenter, Craig, Erpenbach, Frostman, Hansen, Johnson, Kapenga, Larson, Miller, Ringhand, Risser, Schachtner, Shilling, L. Taylor, Vinehout and Wirch - 17.

Absent or not voting – None - 0.

Refused concurrence.

Senator Fitzgerald, with unanimous consent, asked that all action be immediately messaged to the Assembly:

Assembly Bill 365

Action Messaged.

ANNOUNCEMENTS, ADJOURNMENT HONORS, AND REMARKS UNDER SPECIAL PRIVILEGE

Senator Miller, with unanimous consent, asked that the Senate adjourn in honor of the retiring state senators. Leah Vukmir, Senate District 5, was elected to the legislature in 2002. Terry Mouton, Senate District 23, was elected to the legislature in 2004. Kathleen Vinehout, Senate District 31, was elected to the legislature in 2006. Caleb Frostman, Senate District 1, was elected to the legislature in 2018.

Senator Vukmir, with unanimous consent, asked that the Senate adjourn in honor of her staff, especially this session: Jessica, Mattias, Ben and Jason.

Senator Vukmir, with unanimous consent, asked that the Senate adjourn in honor of her kids, because if it wasn't for them, she wouldn't be here today.

Senator Vukmir, with unanimous consent, asked that the Senate adjourn in honor of son, who was recently promoted to Captain in the United States Army. Today, he has the incredible honor of serving alongside the casket of President Bush. Senator Vukmir would also like to adjourn in his honor and all the other young men and women who serve this great country and to President Bush.

Senator Johnson, with unanimous consent, asked that the Senate adjourn in honor of Sandra Parks, a 13-year-old Milwaukee child, who died on November 19, 2018, a tragic victim of the gun violence epidemic.

Senator Larson, with unanimous consent, asked that the Senate adjourn in honor of his daughter, Stella Louisa Larson, who celebrates her 4th birthday on December 7, 2018. She is an amazing person who brings joy and happiness to our family.

Senator Larson, with unanimous consent, asked that the Senate adjourn in honor of Jennie Ramus, a former high school classmate, who was tragically killed 20 years ago on December 23rd by a repeat drunk driver. Jennie, a high school senior, was coming home from a Christmas gathering when she was hit by a repeat drunk driver who was driving after drinking at a party. He was dangerously over the legal blood-alcohol limit. Her death sticks with him, especially when we bring forth legislation to reduce drunk driving and repeat drunk drivers. In the last 20 years since her tragic death, and despite the injury and death of thousands of our friends and neighbors, we have failed to pass Wisconsin drunk driving laws that are effective. Her death, as well as the 182 other lives lost in the last reportable year to drunk driving, were needless. Although this session is ending with no real action on this issue, we must do better to honor those needlessly taken from us. It is his hope that everyone drives safe this holiday season. Watch and be cautious because with our laws, drunk drivers are out there on our roads. Senator Larson adjourns in honor and memory of Jennie Ramus as well in honor of all who we have tragically lost to drunk driving.

MESSAGES FROM THE ASSEMBLY

By Patrick E. Fuller, chief clerk.

Mr. President:

I am directed to inform you that the Assembly has adopted and asks concurrence in:

Assembly Joint Resolution 119

MESSAGES FROM THE ASSEMBLY CONSIDERED

Assembly Joint Resolution 119

Relating to: Relating to: the life and public service of Bishop Robert C. Morlino.

By Representatives Tranel, Allen, Ballweg, Bernier, Jacque, Knodl, Krug, Murphy, Mursau, Ott, Rodriguez, Skowronski, Snyder, Thiesfeldt, Tittl, Vos, Wichgers, Tusler and Vorpagel; cosponsored by Senator Marklein.

Read and referred to the committee on **Senate Organization**.

Senator Fitzgerald, with unanimous consent, asked that **Assembly Joint Resolution 119** be withdrawn from the committee on **Senate Organization** and taken up at this time.

Assembly Joint Resolution 119

Relating to: Relating to: the life and public service of Bishop Robert C. Morlino.

The question was: Concurrence of **Assembly Joint Resolution 119**?

Concurred in.

Senator Fitzgerald, with unanimous consent, asked that all action be immediately messaged to the Assembly:

Assembly Joint Resolution 119

Messaged.

Senator Shilling, with unanimous consent, asked that the Senate adjourn in honor of all our staff who've been here a long time, day and night. She would also like to adjourn in honor of the Chief Clerk's Office, page staff, Reference Bureau and other support agencies who have been here and been at the ready as we've called them in for the clarification and briefings, as well as the Capitol Police who were here. Thank you for making the night and the day and the morning what it was.

Senator L. Taylor, with unanimous consent, asked that the Senate adjourn in honor of Sandra Parks, her constituent who was recently killed. Her mother is very troubled from the experience the family has had. Senator Taylor would also like to adjourn in honor of all of those in our lives who have passed away recently.

Senator Miller, with unanimous consent, asked that the Senate adjourn in honor of his wife, Josephine Oyama-Miller, daughter of immigrants whose family was incarcerated in the forced relocation camps for American of Japanese descent

during WWII and his partner and support for fifty years this month.

Senator Olsen, with unanimous consent, asked that the Senate adjourn in honor of Rachel Scott and her parents. Rachel was the first person killed in the Columbine shooting 20 years ago. Last Monday, the Senator and his wife had the opportunity to meet with the Scotts and learn about their daughter who was a remarkable young lady. She lived 17 years and what the Scotts have done is started something called Rachel's Challenge that has made an impact on millions of people across the US and the world. They go into schools and into communities with a message of love and hope and forgiveness, and every week the Scotts get emails and messages from people who have gone through their program that the program has saved their lives because they were going to commit suicide. They also have stopped mass shootings because they get emails from people saying "I wasn't just thinking about it. I had the stuff ready to shoot and kill my fellow students." They have taken a tragedy in their life and made it something positive, and it has saved many, many children and parents and people from across the country and the world.

Senator Wanggaard, with unanimous consent, asked that the Senate adjourn in honor of his mother and father on the 77th wedding anniversary on December 12th.

Senator Wanggaard, with unanimous consent, asked that the Senate adjourn in honor of his granddaughter, Hattie Kay, on her 6th birthday on December 10th.

Senator Darling, with unanimous consent, asked that the Senate adjourn in honor of her wonderful grandson, Liam, who turned 7 last week.

Senator Schachtner, with unanimous consent, asked that the Senate adjourn in honor of Officer Lee Sylvester Murphy. In June 1953, Officer Murphy pulled over a suspect who had stolen a car in Hawthorne and robbed a tavern in Amery. During the traffic stop Officer Murphy sustained a gunshot wound to the shoulder. Despite being wounded, Officer Murphy chased the suspect into Hudson. The suspect shot and killed Patrolman Clarence Erickson, of the Hudson Police Department in an effort to evade officers. Officer Murphy joined a gun battle between officers and the suspect. After this course of events, Officer Murphy had a shoulder operation and suffered a stroke shortly after surgery. He had been ill as a result of the gunshot wound and stroke for two years and succumbed to his injuries on September 22, 1955. After years of applying to have Officer Murphy's name listed on the National Law Enforcement Officers Memorial, Officer Murphy's application was accepted and his name will be added on the Memorial in the spring of 2019. Senator Schachtner is honored to have been part of the process that finally led to the successful acceptance of this long awaited and deserved honor for Officer Lee Murphy.

ADJOURNMENT

Senator Fitzgerald, with unanimous consent, asked that the December 2018 Extraordinary Session of the Senate stand adjourned until Wednesday, December 5, 2018.

Adjourned.

7:36 A.M. Wednesday, December 5